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BUENOS AIRES 04306

E.O. 12356: DECC:OADR  
TAGS: SHUM, AR  
SUBJ: HUMAN RIGHTS DEVELOPMENTS IN ARGENTINA

1. SUMMARY: HUMAN RIGHTS IN ARGENTINA ARE RESPECTED BY THE ALFONSIN ADMINISTRATION. THE LEGACY OF THE MILITARY GOVERNMENTS, HOWEVER, CONTINUES TO WEIGH UPON THE POLITY. CONTROVERSY SURROUNDS THE PACE AND MANNER OF BRINGING PAST MILITARY OFFENDERS TO TRIAL, AS WELL AS THE IMPRISONMENT OF 94 PERSONS CLASSIFIED BY SOME HUMAN-RIGHTS ACTIVISTS AS "POLITICAL PRISONERS". IN RECENT MONTHS, THOUGH, PUBLIC AND MEDIA INTEREST IN HUMAN-RIGHTS MATTERS HAS JADED ESPITE FURTHER REVELATIONS CONCERNING MASS GRAVES AND FORMER MILITARY DETENTION CENTERS. ARGENTINA'S NUMEROUS OTHER PROBLEMS TEND TO OVERSHADOW HUMAN-RIGHTS ISSUES THESE DAYS. END SUMMARY.

2. (U) PRESIDENT RAUL ALFONSIN HAS MADE RESPECT FOR HUMAN RIGHTS A PRINCIPLE GOAL OF HIS ADMINISTRATION. FOR EXAMPLE, AS PART OF THE REORGANIZATION OF THE FOREIGN MINISTRY, THE OFFICE THAT HANDLED HUMAN-RIGHTS ISSUES WAS UPGRADED AND IS NOW HEADED BY A POLITICAL APPOINTEE WITH THE RANK OF AMBASSADOR, DR. HORACIO RAVENNA. ALFONSIN ALSO REPEATEDLY EMPHASIZES IN PUBLIC THAT "DEMOCRACY IS THE ONLY SYSTEM WHICH CAN EFFECTIVELY GUARANTEE HUMAN RIGHTS." THIS IDEA HAS BEEN REINFORCED IN THE PUBLIC MIND BY THE CONTINUING DISCOVERIES OF MASS GRAVES AND FORMER MILITARY DETENTION CENTERS. LATE MAY, FOR INSTANCE, SAW BOTH THE UNEARTHING OF A MASS GRAVE IN LA PLATA CITY CONTAINING 25-30 BODIES AND CONFIRMATION OF THE EXISTENCE OF TWO MORE FORMER CLANDESTINE DETENTION CENTERS RUN BY THE MILITARY UNDER THE PRIOR REGIME.

3. (U) GROUPS AND INDIVIDUALS CONCERNED WITH HUMAN RIGHTS CONTINUE TO EXPRESS DISPLEASURE WITH THE HANDLING OF THE TRIALS OF MILITARY OFFICIALS (BEING REPORTED SEPTEN), PRESSING FOR JUDGMENTS IN CIVILIAN COURTS. EMILIO MIGNONE, PRESIDENT OF THE CENTER FOR LEGAL AND SOCIAL STUDIES (CELS), SUMMED UP THESE VIEWS WHEN HE RECENTLY TOLD THE PRESS THAT "THE MILITARY COURTS NEITHER HAVE DONE NOR WILL DO ANYTHING (BECAUSE) THEIR GOAL IS TO KILL TIME TO SEE WHETHER PEOPLE FORGET, OR TO LET THE DEMOCRATIC GOVERNMENT WEAR ITSELF OUT. . . . IN AN ATTEMPT TO SPEED THE PACE OF THESE TRIALS, THE GOVERNMENT IS CONSIDERING THE APPOINTMENT OF MORE MILITARY JUDGES. RADICAL PARTY FIGURES HAVE ALSO BEGUN TO OFFER COUNTERCRITICISM, CLAIMING THAT STATEMENTS SUCH AS MIGNONE'S PLAY INTO THE HANDS OF POLITICAL EXTREMISTS. IN THIS VEIN, RADICAL CONGRESSMAN (AND CHAIRMAN OF THE LOWER HOUSE'S FOREIGN RELATIONS

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COMMITTEE) FEDERICO STURANT CHARGED THAT, "WRAPPED IN WORRY OVER THE FATE AND WHEREABOUTS OF THE THOUSANDS WHO DISAPPEARED DURING THE MILITARY REGIME, THE MOTHERS OF THE PLAZA DE MAYO HAVE BEEN THE OBJECT OF POLITICAL MANIPULATIONS ON THE PART OF THE EXTREME LEFT."

4. (U) IN MOVING ITS CASES TO TRIAL, THE GOVERNMENT FACES THE PROBLEM THAT "THE INFORMATION (NEEDED) IS IN THE HANDS OF THOSE WHO COMMITTED THE CRIMES, AND IN MOST CASES THE EVIDENCE WAS DELIBERATELY DESTROYED". THIS DIFFICULTY, POINTED OUT BY NATIONAL COMMISSION ON THE DISAPPEARANCE OF PERSONS (CODEP) MEMBER HILARIO FERNANDEZ LONG, LED THE COMMISSION TO PREDICT ITS FINAL REPORT MIGHT NOT APPEAR UNTIL TWO MONTHS AFTER THE SCHEDULED JUNE 30 COMPLETION DATE. THE MAY 31 DEADLINE FOR SUBMITTING EVIDENCE TO CODEP WAS ALSO EXTENDED. ERNESTO SABATO, CHAIRMAN OF THE COMMISSION, NONETHELESS BELIEVES THAT ENOUGH EVIDENCE STILL EXISTS "TO CONVICT THOSE GUILTY OF CRIMES". SOME POLITICAL FIGURES, HOWEVER, ARE GETTING RESTLESS. CHRISTIAN DEMOCRATIC CONGRESSMAN (AND LEADING HUMAN-RIGHTS ACTIVIST) AUGUSTO CONTE ON MAY 22 RENEWED HIS CALL OF A MONTH EARLIER TO THE GOVERNMENT TO REQUIRE THE ARMED FORCES TO EITHER SUPPLY DOCUMENTATION CONCERNING HUMAN-RIGHTS CASES, OR ELSE PROVIDE THE NAMES OF THOSE RESPONSIBLE FOR THE DESTRUCTION OF THIS EVIDENCE. THIS "POLITICAL INTEREST" IS IN MARKED CONTRAST TO THE ATTITUDE OF THE PUBLIC AND THE MEDIA. OVER THE LAST SEVERAL MONTHS, THERE WAS A NOTICEABLE DECREASE IN MEDIA COVERAGE OF HUMAN-RIGHTS MATTERS AS THE MEDIA AND THE PUBLIC FOCUSED ON THE MANY OTHER PROBLEMS ARGENTINA FACES.

5. (U) AT PRESENT, HUMAN-RIGHTS GROUPS CLAIM 94 "POLITICAL PRISONERS" ARE IMPRISONED IN ARGENTINA. THESE PRISONERS WERE CONVICTED OF "SUBVERSIVE CRIMES" BY EITHER MILITARY OR CIVILIAN COURTS DURING THE YEARS OF ARMED FORCES RULE. THE GOVERNMENT ARGUES THAT IT CANNOT SUMMARILY OVERTURN THESE VERDICTS AND SUGGESTS THAT THESE PRISONERS REQUEST A JUDICIAL REVIEW OF THEIR CASES. DUE TO DIFFICULTIES, HOWEVER, IN GETTING THE OPPOSITION-CONTROLLED RELEVANT SENATE COMMITTEE TO APPROVE THE EXECUTIVE BRANCH'S JUDICIAL APPOINTMENTS, MANY OF THESE CASES, IF REVIEWED NOW, WOULD BE REVIEWED BY THE SAME JUDGE WHO ENTICED THE PRISONERS. THOUGH THE NUMBER OF SO-CALLED "POLITICAL PRISONERS" HAS FALLEN FROM 147 AT THE START OF THE YEAR, SEVERAL HUMAN-RIGHTS GROUPS ACCUSE THE ALFONSIN REGIME OF DRAGGING ITS FEET ON THIS MATTER. THESE GROUPS HAVE PRESENTED A BILL TO THE SENATE THAT WOULD COUNT EACH DAY SERVED IN PRISON AS THREE IN ORDER TO FULFILL THE IMPOSED SENTENCES. THE GOVERNMENT IS PREPARING A BILL THAT WOULD COUNT EVERY TWO DAYS SERVED AS THREE. TO PRESS DEMANDS FOR THEIR RELEASE, 34 OF THESE PRISONERS HAVE BEEN ON A HUNGER STRIKE SINCE MAY 4.

MARSHALL MEYER GOES HOME

6. (U) AFTER 25 CONSECUTIVE YEARS IN ARGENTINA, CONTROVERSIAL AMERICAN BARRISTER MARSHALL MEYER WILL LEAVE THE FIRST WEEK OF JUNE TO BECOME VICE PRESIDENT OF LOS ANGELES JEWISH UNIVERSITY IN CALIFORNIA FOR AT LEAST A YEAR. MEYER, A LEADING HUMAN-RIGHTS ACTIVIST WHO WAS THE ONLY NON-ARGENTINE SELECTED BY PRESIDENT ALFONSIN TO BE ON THE NATIONAL COMMISSION ON THE DISAPPEARANCE OF PERSONS, WILL DECIDE DURING HIS YEAR IN LOS ANGELES WHETHER HE WILL STAY IN THE U.S. OR RETURN TO ARGENTINA, WHICH HE NOW REGARDS AS HIS SECOND HOME. A 25TH-ANNIVERSARY CELEBRATION WAS HELD IN HIS HONOR ON JUNE 3, ATTENDED BY MOST OF ARGENTINA'S HUMAN-RIGHTS LEADERS, MANY OF THE JEWISH COMMUNITY'S LEADERS, AND GOA OFFICIALS TO PAY HOMAGE TO A DEDICATED, COURAGEOUS MAN TO WHOM EXILED NEWSPAPER PUBLISHER JACOBLO TIMMERMAN

ARGENTINA PROJECT (S200000044)

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Margaret P. Grafeld, Director

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DEDICATED HIS BOOK, "PRISONER WITHOUT A NAME; CELL WITHOUT A NUMBER." RABBI MEYER'S FAREWELL MESSAGE CALLED ON THE GOA TO SPEED UP THE BRINGING TO JUSTICE OF HUMAN-RIGHTS VIOLATORS, AND CALLED ON ARGENTINES TO PROTECT THEIR NEWBORN DEMOCRACY AND TO LEARN TO LIVE AND WORK TOGETHER IN A PLURALISTIC DEMOCRATIC SOCIETY (POINTEDLY NOTING THAT ARGENTINA SHOULD BE MORE THAN JUST "WESTERN AND CHRISTIAN.").

7. COMMENT: ALTHOUGH RESPECT FOR HUMAN RIGHTS REMAIN A MATTER OF CONCERN FOR SOME ARGENTINES, THE MAJORITY OF THE PUBLIC CONSIDERS THESE BASIC RIGHTS GUARANTEED BY THE RETURN OF DEMOCRACY. THUS, AS TIME PASSES, PEOPLE HAVE BEGUN TO LOOK MORE TO THE FUTURE THAN TO THE PAST. THIS HAS LED TO A DECREASE IN INTEREST IN ABUSES OF THE MILITARY ERA. THIS DOES NOT MEAN THE PUBLIC IS UNCONCERNED WITH JUDGING THE CRIMINALS OF THE MILITARY YEARS, ONLY THAT THE MAJORITY FEELS THE MATTER IS BEING WELL-TAKEN CARE OF BY THE ALFONSIN REGIME. IF THE PUBLIC CAME TO DOUBT THIS, THE RADICAL REGIME WOULD QUICKLY FACE RENEWED PUBLIC PRESSURE IN THE FORM OF DEMONSTRATIONS. IT'S THE GOAL OF SOME HUMAN-RIGHTS GROUPS TO PLANT THIS DOUBT IN THE PUBLIC'S MIND, BUT THEIR OCCASIONAL DEMONSTRATIONS DO NOT DRAW MANY PEOPLE. WE BELIEVE THAT A LARGE MAJORITY OF THE ARGENTINE PUBLIC SUPPORTS ALFONSIN'S DECISION TO LEAVE HUMAN-RIGHTS JUSTICE TO THE JUDICIAL BRANCH, EVEN THOUGH EVERYONE RECOGNIZES HOW SLOWLY THE WHEELS OF JUSTICE TURN. ORTIZ

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